

EXHIBIT B

Exhibit B - Parties' Preliminary Claim Constructions

	Term	Proposing Party	Patent (claims)	Audible Magic Construction	Blue Spike Construction
1	Presenting said content-related data on said client media player	Both	'308 (1)	<p>"causing the content-related data to be displayed on the client media player"</p> <p><u>Intrinsic Evidence:</u></p> <p>'308 Patent Col. 3:66-4:12; 6:11-8:32; 8:60-64;10:18-47.</p>	<p>Presenting: "The act of displaying"</p> <p>Client media player: "A device that a client plays media on which may include a computer. The client computer has executing a "client engine" software application comprising a sampling unit, a media intercept unit, and a user interface"</p>
2	Segment	Blue Spike	'308 (1)	Plain and ordinary meaning	Any of the parts into which something can be divided
3	Measuring acoustical/perceptual features of said segment	Blue Spike	'308 (1)	Plain and ordinary meaning	To make a measurement of acoustical/perceptual features of said segment
4	Comparing said analytical representation to a collection of analytical representation of reference sampled media content	Blue Spike	'308 (1)	Plain and ordinary meaning	<p>Analytical representation: "A digital fingerprint of a particular segment measuring acoustical/perceptual features of said segment"</p> <p>Referenced sampled media: "The collection of stored reference samples"</p>